

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. OZAWA et al.

Confirmation No.: 9907

Serial No.: 10/614,808

Filed: July 9, 2003

For: EXTERNAL STORAGE CONTROL DEVCIE AND DATA TRANSFER
METHOD BETWEEN EXTERNAL STORAGE CONTROL DEVICES

Group: 2187

Examiner: B. Peugh

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 14, 2008

Sir:

The following is in response to the August 21, 2008 Office Action in which the Examiner alleges that restriction under 35 USC §121 is required and requests Applicants to elect one of the alleged inventions.

In response to the restriction requirement, Applicants hereby elect without traverse Invention I, 12-31 for further prosecution on the merits. Accordingly, an Office Action examining claims 12-31 is respectfully requested.

As noted in the Petition for Replacement Office Action and Reset of the Statutory Period for Response filed on September 18, 2008, the Applicants have not yet received a copy of the Restriction Requirement mailed on August 21, 2008. The Applicants' representative discovered that an Office Action had been mailed when checking the status of the application on the USPTO's Private PAIR system. The Applicants are submitting this response in order to expedite prosecution of the

application. Due to the delay on the part of the U.S. Patent and Trademark Office or the U.S. Postal Service, the Applicants submit that no extension of time fee should be due. However, to the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (H-597-04).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

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